

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: <u>7/26/2021</u>

TEDDY VOLKSWAGEN OF THE BRONX, LLC,

Plaintiff,

19-CV-2337 (AJN) (SN)

-against-

ORDER

PHILLIP DEMERSKY,

Defendant.

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SARAH NETBURN, United States Magistrate Judge:

The Court understands that the parties have executed all documents and Defendant has made his first payment. His second payment is due August 15, 2021, and then the 15th of every month thereafter, or if such date falls on a weekend or holiday, the first business day thereafter. In light of the parties' good faith disputes, and defense counsel's representation that he held his client's first payment in escrow as of July 15, 2021, the Court deems that no default has occurred with respect to the first payment. The prior order suspending payment pending a resolution of the dispute is vacated. See ECF No. 106.

The Honorable Alison J. Nathan referred this matter to my docket for settlement only. Accordingly, the parties' request that the Court retain jurisdiction of this matter should be directed to Judge Nathan. Alternatively, the parties may consent to my jurisdiction by filing a Consent to Proceed Before a U.S. Magistrate Judge form.

This matter shall remain closed.

SO ORDERED.

DATED: July 26, 2021
New York, New York


SARAH NETBURN
United States Magistrate Judge